Convicted by Courtmartial and Given Sixty Days in Prison.

SMITH SUBMITS RECORD TO COURT

Government Witness Declares War Episode Was Due to Fact That He Was Victim of Officer's Spite-Kelly Case May End This After-

When I stated Saturday that I had never been tried by a drumbead court-martial for desertion from the United States army, I spoke the exact truth, declared Major M. J. Enright yesterday when he was recalled to the witness stand in the case of the government against the Phil G. Kelly Company, In-corporated.

It from the War Department on Saturday to be used in this case. It follows:

The response to your personal research the saturday of the saturd

asked the attorney.
"I was tried before a court-martial." them.

"Do you draw a pension from the United States government?"

"Do you know that your whole war record is on file with the government?" know that; that paper is un-

"I know that,
doubtedly correct."
"Have you seen A?"
"Yes, str."
"Yes, Turisht

Major Enright took occasio Here Major Enright took occasion for a brief explanation. It said: "You asked me on Saturday if I was ever accused of descrition from the United States Army, I was never tried as a descriter. You asked me if I ever heard it was asserted that I descrited the army. To all of these I answered no; I never heard of it in my life."

Explanation by Witness.

Explanation by Witness.
Continuing his explanation, the witness said that he was somewhat in-. (Continued on Seventh Page.)

Democrats and Insur- Nothing to Remind Dem- He Is Democratic CangentsAgainShoveHim From His Throne.

HE SEEKS TO KILL ONE OF NEW RULES

Regulars Fight Gamely to Sustain Speaker in His Effort to Override Ironclad Rule Drawn by Champ Clark, but They Are Overwhelmed.

when he was recalled to the witness stand in the case of the government day by Attorney 11. M. Smith, Jr., of counsel for the defense, was renewed yesterday, and it was shown that Major Enright was tried by a general court inartial in November, 1821, and convicted of descring his post while on picket duty.

Got War Department Record, In a letter written by the Adjutant General of the United States army, read in a letter written by the Adjutant General of the United States army, read in the statement was true, declared neover knew what sentence was imposed from the statement was true, declared neover knew what sentence was imposed from him and that the only punishment has received was being kept in a guardiction of a bill that has been referred to dist, Major Enright was the first witness called by the defense yesterday morning.

"Major Enright was the first witness called by the defense yesterday morning.

"Major Enright," began Mr. Smith in an even tone, while a hush fell upon the crowded court-room; "on saturday I asked you a question. I regret it became, in my judgment, my duty to ask you. I stated that if I had ever done you are injustice. I see from a paper of Saturday after noon that you said you beforeged to Company II. Hith Regiment, Ohio in fanity Volunteers. That is true, is it?

"Yes, sir." was the caim response of witness, though he was prival agitated. Sharp Examination.

Mr. Smith resumed: "Are you the Michael J. Enright who was enrolled to Toledo, O, in the United States Army in Agigust 12.1 think."

"Yos, str." was the caim response of Michael J. Enright who was enrolled to Toledo, O, in the United States Army in Agigust 12.1 think."

"Yos, str." was the caim response of Michael J. Enright who was enrolled to Toledo, O, in the United States Army in Agigust 12.1 think."

"Yos str." was the caim response of Michael J. Enright who was enrolled to Toledo, O, in the Willedon of the michael of t

Wants Vote This Session.
[Special to The Times-Dispatch.]
Washington, D. C., January 16.—The
Secretary of the Treasury has sent to
Congress a recommendation that appropriations for public buildings and
cites, authorized at the last session of
Congress, be voted on at the present
session. These appropriations amount
to \$30,600,600, and this amount will be
included in the sundry civil bill. The
places in Virginia affected are: Hampton, \$20,600; Suffolk, \$15,000; Lexington,
\$50,000; South Boston, \$5,000; Warren-

ENRIGHT DESERTED CANNON DEFEATED HOG AND HOMINY SHEEHAN CHOICE POST DURING WAR BY ALLIED FORCES NOT ON THIS MENU OF PARTY CAUCUS

ocrats of Their Long, Lean Years.

DOLLAR DINNERS THINGS OF PAST

Instead, Champagne and Wines of Rare Vintage Will Wash Diamond-Back Terrapin, Canvasback Duck and Epicurean Smithfield Ham Down Democratic Throats.

PLEADS NOT GUILTY

Slayer of Son Must Stand Trial for First Degree Murder.

Albany, N. Y. January 16.—Mrs. Edith Melber pleaded not guilty to-day to the charge of murder in the first degree before Justice Cochrane in the Supreme Court, after being indicted by the grand jury for first degree murder for Killing her five-year-old son, George, by giving him carbolle acid to drink.

The coroner's decision on the injuest is that death was due to carbolle.

to \$30,000,000, and this amount will be included in the sundry civil bill. The places in Virginia affected are: Hampton, \$20,000; Suffolk, \$15,000; Lexington, \$50,000; South Boston, \$5,000; Warren, \$50,000; Planski, \$5,000; Prankin, \$5,000.

P. H. McG.

Asks for Report.

[Special to The Times-Dispatch.]

Washington, D. C., January 16.—Believing that the people of the South should know more of what has been done towards marking the graves of Confederate soldiers who died in Northern prisons during the Civil (Continued on Third Page.)

(Continued on Third Page.)

didate for Senator

in New York.

HIS ELECTION NOT ASSURED

Twenty-Five Members Bolt Meeting and May Be Able to Prevent Necessary Vote by Legislature-Depew Is Renominated by Republicans.

A statement was the designation of the control of t

Republicans Noml. ate Depew.

Albany, N. Y., January 16.—Chaun cy M. Depew was selected by the Re andidate for United States Senator This means that Senator Depew will

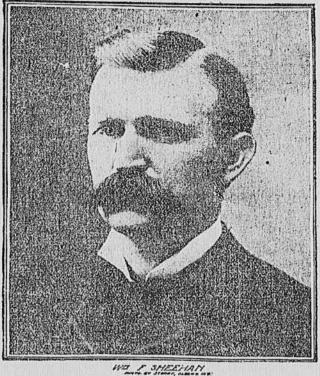
receive all the Republican votes at th

morrow.

In presenting the name of Colonel Roosevelt, Senator Walnwright expressed his disapproval of the nomination of Senator Depew and said that the minority should make an "ideal" (Continued on Third Page.)

USE BROWN'S BRONCHIAL TROCHES, the convenient and effective cough ramedy

Named to Succeed Depew



CRUEL GRILLING OVER COMPANIES

I care, said Mrs. Schenk."

Attempt on Life Penred.

Both the regular nurse and herseif had instructions not to leave wife and husband alone for a moment, an attempt on his life being feared.

Mr. Boyce took the witness in charge, and his first question revealed the line which the defense would follow.

"You were told to break into Mrs. Schenk's confidence by any means, weren't you?"

"Those were my instructions," she answered. Mr. Boyce, after two hours of search-

Washington, D. C., January 16.—Declaring that the reorganization of the Standard Oil Company of New Jersey in 1899 riveted together the control of the subsidiary companies in a way that had not existed before, Attorney-General Wickersham to-day argued before in Supreme Court of the United States that the defense put up by the Standard Oil Company against dissolution fell to the ground.

It was the third day of the oral argument of the case. Frank B. Kellogg had concluded his long argument in favor of the dissolution, as decreed by the Circuit Court of the United States for the Eastern District of Missouri, D. T. Watson, of Pittsburg, had centred an attack on the form and effect of the decree. Ar. Wickersham was then called upon to close the argument for the government. He did not conclude, but will complete his argument for the government. He did not conclude, but will complete his argument for the government. He did not conclude, but will complete his argument for the government. He did not conclude, but will complete his argument for the government. He did not conclude, but will complete his argument for the government of the corrol of the cross of Mr. Watson paved the way for Mr. Wat

KILLED HIMSELF TO ESCAPE PRISON

Hayden's Crime Most DiabolicalEverReported to Local Police.

WIFE CONFIRMS TERRIBLE CHARGE

Driven Out of Her Home, She Begged Officers Not to Make an Arrest-Stranger First Reported Matter to Police, Who Were Slow

Learning that the police had procured evidence from his wife and a
clitzen unknown to her that would
have sent him, if convicted, to the
death chair, "Dr." Wynne Hayden, a
mental healer, committed suicide in his
apartments at 900 West Marshail
Street, Sunday night, by inhaling gas.
Others in the house smelled escaping
gas shortly after 10 o'clock yesterday
mounting, and Policeman Stockmar was
summoned. The officer broke open the
door. Hayden was lying on his bed,
dressed in his night clothes, with a
smile on his lips. Coroner Taylor, who
was summoned at the same time a
call was sent in for the city ambulance,
said that the man had been dead several hours.

Wife Driven Away in Night.

Mrs. Hayden, who had been driven out of the house by her husband at 4 o'clock Sunday morning, was notined of his death at 117 North Eighth Street, where she had taken retuge. She almost collapsed when she viewed the body, but expressed no surprise at the deed. Hayden, she said, nad threatened before to kill himself.

While the man lay dead in his room, Captain Epps, of the Second Station, While the man lay dead in his room, Captain Epps, of the Second Station, where charges had been preferred against Hayden Saturday night, was giving a report of them to Major Werner. The police declare the charges to be of a nature the most unusual and diabolical that ever came to thermotiee. A criminal warrant would have been served on Hayden, and it is believed that he had learned, or had good reason to believe, that the police were about to take active steps against him, Hayden's scheme was, according to a report made to Captain McMahon by Mrs. Hayden's scheme was according to a report made to Captain McMahon by Mrs. Hayden last night, to replenish his decreasing funds at her expense.

Got Evidence of Crime.

Second Complaint Made. avenues of interstate commerce." inguired Mr. Watson, "to pass on the conveyance of properties?"

The declared that the Standard Oil asked how she could get him out, as a sked how she could get him out, as a sked how she could get him out, as a sked how she could get him out, as he was drunk and was annoying her, "We didn't put any allen property in the new organization," he said, "Only joint property was changed from the trustees to a corporation. Pray tell me trustees to a corporation. Pray tell me trustees to a corporation. Pray tell me been artested then, when accusations had been eaded that the properties conveyance."

He contended that the properties conveyed were non-competitive before 1899, and remained exactly as they had been after that year.

The reason he advanced for the Circuit Court holding that the conveyance was illegal was that it believed it had to follow the decision of the Supremo Court in the Northern Securities case.

But the Standard Oil case, he argued, differed from the Northern Securities also.

parsey could restrain trade by such a conveyance."

Hayden was born in Iowa, and was born on Iowa, and was been after that the properties conveyance and the conveyance of the contended that the properties conveyance of the conveyance of the contended that the properties conveyance of the conveyance of the contended that the properties conveyance of the conveyance of the

Mr. Boyce, after two hours of searching inquiry, asked;

"Isn't it a fact that every statement you have made relative to Mrs. Schenk offering you \$1.000 to poison her husband is a tissue of iles, manufactured out of the whole cloth by yoursel?"

"Everything I have told you is true."

"Everything I have told you is true."

"Isn't it a fact that the only mention of \$1.000 was made when you told Mrs. Schenk that Albert Schenk, John's brother, had offered Miss Evans that amount to take John's keys to his safe (Continued on Third Page.)

"Continued on Second Page.)

"In the took up the defense of the decourt that the court that the court had offered will be preferred as a proposal to the standard of the standard o